

COMPLETE LISTING OF CLAIMS INCLUDING AMENDMENTS

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1. **(currently amended)** A drug delivery and dilution device comprising:
an elongate body comprising a proximal end defining an inlet, and a distal end defining an outlet, the elongate body defining a passageway extending between the proximal and distal ends; and

a diffuser element operatively associated with the elongate body so as to define a diffusion space, wherein the diffusion space is in fluid communication with the elongate body passageway;

wherein, in use, a drug at a first concentration is introduced into the elongate body inlet, moves through the elongate body passageway, out the elongate body outlet, and into the diffusion space, and further wherein fluid from the environment outside the device passes into the diffusion space through the diffuser element, wherein the fluid mixes with the drug, thereby diluting the drug to a second concentration within the diffusion space,

and wherein said diluted drug then diffuses out through the diffuser element to exit the device ~~and substantially diffuses out through the diffuser element to exit the device such that the drug, upon delivery, is diluted to a second concentration that is less than the first concentration.~~

2. **(currently amended)** The device of claim 1, wherein the diffuser element comprises ~~is the diffuser element comprising~~ a material selected from the group consisting of a semipermeable membrane, a microporous membrane and an ion exchange membrane.

3. **(cancel)**

4. **(currently amended)** The device of claim 1, wherein the elongate body is defined by an exit orifice of a drug delivery device having a diffuser element provided as a cap attached to the exit orifice.

5. **(cancel)**

6. **(original)** The device of claim 1, wherein the diffusion space is defined by an outer wall of the elongate body and an inner wall of the diffuser element.

7. **(original)** The device of claim 1, wherein said diffuser element envelops at least a portion of said elongate body.

8. **(original)** The device of claim 1, wherein the diffuser element is microporous.

9. **(original)** The device of claim 1, wherein the diffuser element is a dense membrane.

10. **(original)** The device of claim 1, wherein the diffuser element is an ion-exchange membrane.

11. **(original)** The device of claim 1, wherein said diffuser element distal end extends distally beyond the elongate body distal end.

12. **(original)** The device of claim 1, wherein the diffuser element is ring-shaped element.

13. **(original)** The device of claim 1, wherein the diffuser element is substantially impermeable to biological fluids or components of biological fluids.

14. **(original)** The device of claim 1, wherein the diffuser element is selectively permeable to water.

15 - 16. **(cancel)**

17. **(original)** The device of claim 1, wherein the elongate body comprises at least two outlets.

18. **(original)** The device of claim 1, wherein said elongate body defines at least two passageways.

19. **(original)** The device of claim 1, wherein the elongate body passageway is adapted for delivery of agent at a low volume rate.

20. **(currently amended)** A drug delivery system comprising:
the drug delivery and dilution device of claim 1, communicably attached to a drug -
containing reservoir.

21. **(currently amended)** The drug delivery system of claim 20, wherein the drug
reservoir contains Baclofen delivery device is a convective drug delivery device.

22. **(currently amended)** The drug delivery system of claim 1 20, wherein said drug is
delivered in microliter or submicroliter quantities per day delivery device is implantable.

24. **(currently amended)** The method of clam 25 , wherein the formulation is introduced
into the inlet at a low volume rate.

25. **(currently amended)** A method for delivery of an agent to a delivery site in a
subject, the method comprising the steps of:

implanting at the delivery site at least a distal portion of a drug delivery and dilution
device, the device comprising:

an elongate body comprising a proximal end defining an inlet, and a distal end
defining an outlet, the elongate body defining a passageway extending between
the proximal and distal ends; and a diffuser element operatively associated with
the elongate body so as to define a diffusion space, wherein the diffusion space is
in fluid communication with the elongate body passageway; and
introducing into the elongate body inlet a drug at a first concentration, wherein said drug
moves through the elongate body passageway, out the elongate body outlet, into the
diffusion space, and further wherein water from the environment outside the device

passes into the diffusion space through the diffuser element wherein the water mixes with the drug, thereby diluting the drug to a second concentration within the diffusion space, and

wherein said diluted drug then diffuses out through the diffuser element to exit the device at the delivery site in the subject, wherein the elongate body passageway is at least partially filled with an agent formulation prior to said implanting

134 ~~local concentration management device according to claim 1 at a delivery site in a subject; and introducing a formulation comprising an agent into the inlet of the elongate body; wherein the introduced agent flows through the elongate body passageway and diffuses out the local concentration management device to the delivery site in the subject, wherein the elongate body passageway is at least partially filled with an agent formulation prior to said implanting.~~

26 - 27. (cancel)

29. The device of claim 1 wherein the diffuser element comprises a polymeric film.

135 30. (currently amended) The device of claim 29 wherein the diffuser element has a Diffusion Coefficient (DC) value in the range between 4.1×10^{-6} ~~10^{-6}~~ and 3.3×10^{-5} ~~10^{-5}~~ $\mu\text{g}/\text{cm}/\text{sec}$.

134 31. (new) The device of claim 1 wherein the diffuser element is substantially impermeable to drug and selectively permeable to water.